

CONDITION FOR APPROVAL FORM  
(TO ACCOMPANY LEGISLATION)

COMMITTEE: Finance/Executive

DATE: 5-11-11

ORDINANCE # \_\_\_\_\_ RESOLUTION # 11-R-0647

REQUESTED BY: Committee

DIRECTED TO: Office of Sustainability

NATURE OF CONDITION FOR APPROVAL:

① If hearing more on financing ② what & how are savings to be tracked  
and substitute legislation w/ correct acct #s

WHEN IS THIS INFORMATION DUE, AND TO WHOM?

Prior to full council meeting May 16, 2011

WILL THIS RESULT IN AN AMENDMENT TO THE LEGISLATION?

YES ( ) NO ( )

WILL THIS RESULT IN A SUBSTITUTE TO THE LEGISLATION?

YES (✓) NO ( )

HAS THIS INFORMATION BEEN RECEIVED? YES ( ) NO ( )

DATE OF RECEIPT: \_\_\_\_\_

**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**11- *R* -0647**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO SECTION 2-1602 OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING THE GEORGIA SERVICES ADMINISTRATION CONTRACT # GS-00P-05-BSD-0362 WITH THE ATLANTA GAS LIGHT COMPANY FOR NATURAL GAS AND ENERGY MANAGEMENT SERVICES ON BEHALF OF THE DIVISION OF SUSTAINABILITY IN AN AMOUNT NOT TO EXCEED SEVEN MILLION, NINE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$7,900,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), DEPARTMENT 040302 (EXE. FACILITIES MAINTENANCE), ACCOUNT 5312201 (UTIL, NATURAL GAS), FUNC. ACT. 1565000 (GEN. GOV. – BLDGS/PLANTS); AND FOR OTHER PURPOSES.**

**WHEREAS**, the Division of Sustainability is aimed at making the City of Atlanta (“City”) more sustainable by improving the City’s “green” programs and policies such as water and energy conservation, reducing the City’s solid waste and emissions, and improving the rates of recycling; and

**WHEREAS**, AGL has established the Sustainable Environmental and Economic Development Program (“SEED Program”) with the Georgia Public Service Commission to finance energy efficiency and water conservation improvements for their customers with rate payer funds; and

**WHEREAS**, AGL has obtained authorization from the Georgia Public Commission to use those funds to provide energy efficient improvements to government owned buildings and to provide long-term financing for the improvements; and

**WHEREAS**, the City desires to utilized the SEED Program to make City Hall more energy efficient; and

**WHEREAS**, pursuant to §2-1602 of the City of Atlanta Code of Ordinances, the Chief Procurement Officer may procure supplies, services or construction items through contracts established by the purchasing division of the state where such contracts and contractors substantially meet the requirements of this Article; and

**WHEREAS**, the Chief Procurement Officer has identified General Services Administration (“GSA”) Contract Number GS-00P-05-BSD-0362 as a source for a cooperative purchase of natural gas and energy management services; and

**WHEREAS**, the Chief Procurement Officer recommends the execution of a cooperative purchasing agreement with AGL, utilizing GSA Contract # GS-00P-05-BSD-0362 for natural gas and energy services in an amount not to exceed seven million, nine hundred thousand dollars and no cents (\$7,900,000.00).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor or his designee is authorized to execute, on behalf of the City of Atlanta, a cooperative purchasing agreement with AGL, utilizing GSA Contract # GS-00P-05-BSD-0362 for natural gas and energy services on behalf of the Division of Sustainability in an amount not to exceed seven million, nine hundred thousand dollars and no cents (\$7,900,000.00) to be charged to and paid from Fund 1001 (General Fund), Department 040302 (Exe. Facilities Maintenance), Account 5312201 (Util., Natural Gas), Func. Act. 1565000 (Gen Gov - Bldgs/Plants); and for other purposes.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare an appropriate document for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the agreement will not become binding on the City, and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to AGL.

**Department of Procurement  
Legislative Summary**

**Committee of Purview:** Finance/Executive Committee

**Caption:**

**Council Meeting Date:** May 2, 2011

**Legislation Title:** Natural Gas and Energy Management Services

**Requesting Dept.:** Office of the Mayor, Division of Sustainability

**Contract Type:** Professional Service Agreement

**Source Selection:** Cooperative Purchasing Agreement

**Bids/Proposals Due:** Not Applicable

**Number of Bids/  
Proposals Received:** Not Applicable

**Bidders/Proponents:** Not Applicable

**Justification Statement:** Not Applicable

**Background:** The City through the Division of Sustainability desires to make various energy efficient improvements to City Hall using an existing GSA agreement GS-OOP-05-BSD-0362.

**Fund Account Center:** 1001 (General Fund) 040302 (Exe. Facilities Maintenance)  
Account 5312201 (Utilities, Natural Gas) FuncAct. 1565000 (Gen  
Gov – Bldgs/Plant)

**Source of Funds:**

**Fiscal Impact:** Seven Million Nine Hundred Thousand Dollars and Zero Cents  
(\$7,900,000.00)

**Term of Contract:** Not Applicable

**Approvals:** **DOF: YES**  
**DOL: YES**

**Prepared by:** **Anthony Kerr**  
**Contact Number:** **(404) 330-6127**



## CITY OF ATLANTA


Kasim Reed  
Mayor

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DEPARTMENT OF PROCUREMENT  
Adam L. Smith, Esq., CPPO, CPPB  
Chief Procurement Officer  
[asmith@atlantaga.gov](mailto:asmith@atlantaga.gov)

## MEMORANDUM

TO: Councilmember Yolanda Adrean,  
Chair, Finance Executive Committee

FROM: Adam L. Smith 

RE: **Georgia Service Administration Contract # GS-OOP-05-BSD-0362**

DATE: April 7, 2011

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This memorandum is to certify that the above-referenced Cooperative Agreement was competitively procured in a manner consistent and pursuant to sections 2-1602, 2-1604, 2-1606 and 2-1608 of the Procurement and Real Estate Code. We reviewed the terms of the Agreement and determined that the costs for the goods/services are competitive and comparable.

If you have any questions or need additional information, please do not hesitate to contact me.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Bill Hosken

Contact Number: 404-954-8490

Originating Department: Office of the Mayor – Division of Sustainability

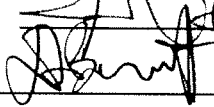
Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: April 8, 2011

Anticipated Committee Meeting Date(s): April 26-27, 2011

Anticipated Full Council Date: May 2, 2011

Legislative Counsel's Signature: 

Commissioner's Signature: 

Chief Information Officer Signature (for IT Procurements): 

Chief Procurement Officer Signature: 

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO SECTION 2-1602 OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING THE GEORGIA SERVICES ADMINISTRATION CONTRACT # GS-00P-05-BSD-0362 WITH THE ATLANTA GAS LIGHT COMPANY FOR NATURAL GAS AND ENERGY MANAGEMENT SERVICES ON BEHALF OF THE DIVISION OF SUSTAINABILITY IN AN AMOUNT NOT TO EXCEED SEVEN MILLION, NINE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$7,900,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), DEPARTMENT 040302 (EXE. FACILITIES MAINTENANCE), ACCOUNT 5312201 (UTIL, NATURAL GAS), FUNC. ACT. 1565000 (GEN. GOV. – BLDGS/PLANTS); AND FOR OTHER PURPOSES.

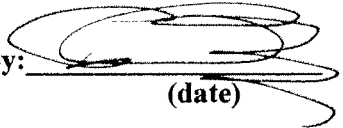
FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office:  4/8/11  
(date)

Reviewed by:   
(date)

Submitted to Council: \_\_\_\_\_ (date )

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview: Finance/Executive Committee**

**Caption: A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO SECTION 2-1602 OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING THE GEORGIA SERVICES ADMINISTRATION CONTRACT # GS-00P-05-BSD-0362 WITH THE ATLANTA GAS LIGHT COMPANY FOR NATURAL GAS AND ENERGY MANAGEMENT SERVICES ON BEHALF OF THE DIVISION OF SUSTAINABILITY IN AN AMOUNT NOT TO EXCEED SEVEN MILLION, NINE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$7,900,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), DEPARTMENT 040302 (EXE. FACILITIES MAINTENANCE), ACCOUNT 5312201 (UTIL, NATURAL GAS), FUNC. ACT. 1565000 (GEN. GOV. – BLDGS/PLANTS); AND FOR OTHER PURPOSES.**

**Council Meeting Date: May 2, 2011**

**Requesting Dept.: Mayor's Office – Division of Sustainability**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to authorize the Mayor to enter into a cooperative purchase arrangement (GS-00P-05-BSD-0362) to complete energy efficiency improvements as identified in Exhibit A to City Hall under a design-build format, and authorize a corresponding memorandum of understanding between the Office of Enterprise Assets Management and the Office of Sustainability for the project to be funded by, and repaid to, the Green Loan Fund.

**2. Please provide background information regarding this legislation.**

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):**  
**Professional Services**



**(b) Source Selection: Cooperative purchase**

**(c) Bids/Proposals Due: N/A**

**(d) Invitations Issued: N/A**

**(e) Number of Bids: N/A**

**(f) Proposals Received: N/A**

**(g) Bidders/Proponents: N/A**

**(h) Term of Contract: 15 years**

**4. Fund Account Center:**

**Fund 1001 General Fund**

**Dept 040302 (Exe. Facilities Maintenance)**

**Account 5312201 (Util, Natural Gas)**

**FuncAct. 1565000 (Gen Gov –Bldgs/Plants)**

**5. Source of Funds:**

**6. Fiscal Impact: \$7,900,000.00**

**7. Method of Cost Recovery: Energy and water savings generated from the project will cover the majority of capital and debt service charges associated with this project.**

**This Legislative Request Form Was Prepared By: Justin E. Giboney**